

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TYLER J. KEUP,)	
)	
Plaintiff,)	4:05CV3208
)	
V.)	
)	
F. X. HOPKINS and DENNIS)	ORDER
BLAKEWELL, all being sued in their)	
individual capacities,)	
)	
Defendants.)	
)	

This matter is before the court on the plaintiff's application for fees, Filing No. 167.

In an order dated April 10, 2008, this court appointed D.C. Bradford to represent the plaintiff in this action pursuant to the Amended Plans for the Administration of the Federal Practice Fund and the Federal Practice Committee and ordered that he be compensated in the amount of \$2,000.00, plus expenses. Filing No. 118, Order at 1. The plaintiff has shown that Bradford incurred reasonable expenses in the amount of \$225.42. The record shows that Bradford was paid \$1,000.00 in April 2008, with the balance, not to exceed \$1,000.00, "payable upon the entry of judgment or other closing documents." *Id.* The mandate of the Eighth Circuit Court of Appeals reversing this court's award of damages and ordering a remand for reduction of attorneys fees to \$1.50 (150% of monetary nominal damages) has been filed. Filing No. 168, Mandate/Judgment. The award of fees under 42 U.S.C. § 1988 is not greater than the Federal Practice Fund fees and expenses and it is therefore appropriate to award Bradford the balance of Federal Practice Fund fees. Accordingly,

IT IS ORDERED:

1. D.C. Bradford shall be compensated an additional \$1,000.00 for his representation of the plaintiff and \$225.42 for reimbursement of reasonable costs and expenses.
2. The clerk of court is directed to pay Mr. Bradford \$1,225.42.

DATED this 2nd day of March, 2010.

BY THE COURT:

s/Joseph F. Bataillon
Chief United States District Judge